IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No. 1176 OF 1993

Nandlal Shambhau Yadav .. Appellant

versus

Kailash Yadav & Anr. .. Respondents

...

Mr.O.R. Tiwari for the appellant.

Mr.M.R. Yadav for respondent nos.1 and 2.

CORAM : D.G. KARNIK, J

DATED : 5th October 2006

P.C.:

1. Heard learned counsel for the parties for some time.

2. This appeal is directed against an interim order pased on three notices of motion taken out by the plaintiff and defendants in Suit no.1782 of 1989.

3. Learned counsel for the parties state that the hearing of the suit no.1782 of 1989 has alrerady commenced and examination in chief as well as cross-examination is already over. The suit is part-heard and likely to be decided in a couple of months. In view of this, counsel submitted that the interim order passed by this court on 26th October 1993 at the time of the admission of the appeal may govern the rights of the parties till the disposal of the suit and the appeal may not be decided on merits. Submission is accepted. Appeal is decided of in terms of order dated 26th November 1993 and 18th March 1994.

(D.G. KARNIK, J)